IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.313 of 2004
Date of Decision: 22.09.2006

Suraj Pal ...Petitioner

Vs.

Presiding Officer & Anr. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Rajesh Arora, Advocate,
for the petitioner.

Mr.M.S.Uppal, Advocate,
for respondent No.2.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the order dated 5.5.2003 passed by the Presiding Officer, Labour Court, Gurgaon vide which the application moved by the Management against the order recalling A.S.Nirvan as witness has been allowed.

The reading of the impugned order shows that Shri A.S.Nirvan, Inquiry Officer, was examined as a witness on an issue as to whether the inquiry was fair and proper and the said issue was decided

on 18.7.2000 which order has attained finality. Learned Labour Court, therefore, rightly came to the conclusion that it was not open to the workman now to recall the Inquiry Officer only for the reason that in criminal case the petitioner stands acquitted.

There is no error in exercise of jurisdiction by the court below which may call for interference by this Court in revisional jurisdiction.

Dismissed.

(Vinod K.Sharma)
Judge

22.09.2006
rp